

REMARKS

I. Amendments

By this amendment, claims 1-4, 6, 10, 11, 13, 14 and 17-19 have been cancelled and new claims 20-35 have been added.

This amendment adds no new matter to the specification. Support for this amendment is found in the specification and claims as filed.

No amendment of inventorship is necessitated by this amendment.

II. Discussion of the Rejection under 35 U.S.C. Sec. 112, First Paragraph

Claims 1-4, 6, 10, 11, 13, 14 and 17-19 stand rejected under 35 U.S.C. Sec. 112, first paragraph for alleged lack of enablement.

By this amendment, claims 1-4, 6, 10, 11, 13, 14 and 17-19 have been cancelled, thereby rendering the rejection moot.

Therefore, Applicants respectfully request withdrawal of the 35 U.S.C. Sec. 112, first paragraph rejection.

III. Discussion of the Rejection under 35 U.S.C. Sec. 102 (a) and 102 (e)

Claims 1-3 have been rejected under 35 U.S.C. Sec. 102 (a) and (c) as allegedly anticipated by Hinuma *et al.*, U.S. Patent No. 6,228,984.

By this amendment, claims 1-3 have been cancelled, thereby rendering the rejection moot.

Therefore, Applicants respectfully request withdrawal of the 35 U.S.C. Sec. 102 (a) and (e) rejections over Hinuma *et al.*

IV. Discussion of the New Claims

By this amendment, new claims 20-35 have been added. These additional claims add no new matter to the specification.

Specifically, the activity of prolactin secretion of the peptides mentioned above is proved in (i) Examples 46, 47 and 49 of the specification, (ii) the submitted Nature article and (iii) the submitted Endocrine article as follows.

SEQ ID NO: 5 (bovine 31 amino acids) is supported by Endocrine's Fig.4 & Fig.5, and Nature's Fig. 4.

SEQ ID NO: 6 (bovine 32 amino acids) is supported by the data of SEQ ID NO: 5 (bovine 31 amino acids), since SEQ ID NO: 6 (bovine 32 amino acids) includes SEQ ID NO: 5 (bovine 31 amino acids).

SEQ ID NO: 7(bovine 33 amino acids) is supported by the data of SEQ ID NO: 5 (bovine 31 amino acids), since SEQ ID NO: 6 (bovine 33 amino acids) includes SEQ ID NO: 5 (bovine 31 amino acids).

SEQ ID NO: 8 (bovine 20 amino acids) is supported by Endocrine's Fig.5.

SEQ ID NO: 47 (rat 31 amino acids) is supported by Endocrine's Fig.1 & Fig.4 & Fig.6, and Nature's Fig.5.

SEQ ID NO: 48 (rat 32 amino acids) is supported by the data of SEQ ID NO: 47 (rat 31 amino acids), since SEQ ID NO: 48 (rat 32 amino acids) includes SEQ ID NO: 47 (rat 31 amino acids).

SEQ ID NO: 49 (rat 33 amino acids) is supported by the data of SEQ ID NO: 47 (rat 31 amino acids), since SEQ ID NO: 49 (rat 33 amino acids) includes SEQ ID NO: 47 (rat 31 amino acids).

SEQ ID NO: 50 (rat 20 amino acids) is supported by the data of SEQ ID NO: 8 (bovine 20 amino acids), since SEQ ID NO: 50 (rat 20 amino acids) is similar to SEQ ID NO: 8 (bovine 20 amino acids).

SEQ ID NO: 61 (human 31 amino acids) is supported by Examples 46, 47 and 49 and Endocrine's Fig.4.

SEQ ID NO: 62 (human 32 amino acids) is supported by the data of SEQ ID NO: 61 (human 31 amino acids), since SEQ ID NO: 62 (human 32 amino acids) includes SEQ ID NO: 61 (human 31 amino acids).

SEQ ID NO: 63 (human 33 amino acids) is supported by the data of SEQ ID NO: 61 (human 31 amino acids), since SEQ ID NO: 63 (human 33 amino acids) includes SEQ ID NO: 61 (human 31 amino acids).

SEQ ID NO: 64 (human 20 amino acids) is supported by the data of SEQ ID NO: 8 (bovine 20 amino acids), since SEQ ID NO: 64 (human 20 amino acids) is similar to SEQ ID NO: 8 (bovine 20 amino acids).

The peptide having SEQ ID NO: 73 and the peptide having SEQ ID NO: 74 and SEQ ID NO: 73 are supported by the above mentioned peptides.

In the new independent method claims 20, 24, 28, 32, support for amino acid sequences of choice (ii) may be found in the specific example of SEQ ID No. 61 (19P2-L31). The activity of this exemplary sequence is found in Example 49.

The new claims are directed to a method neither taught nor suggested by the '984 reference.

V. Conclusion

Reconsideration of the claims as amended in view of the traverse made above is solicited. Early allowance of the claims is requested. Should the Examiner believe that a conference with applicants' attorney would advance prosecution of this application, the Examiner is respectfully invited to call applicants' attorney.

Respectfully submitted,

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